



UNITED STATES PATENT AND TRADEMARK OFFICE

fw
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/044,030	03/19/1998	AKIRA UEDA	980400	7704

23850 7590 03/06/2003

ARMSTRONG, WESTERMAN & HATTORI, LLP
1725 K STREET, NW
SUITE 1000
WASHINGTON, DC 20006

[REDACTED] EXAMINER

ATKINSON, CHRISTOPHER MARK

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

3743

DATE MAILED: 03/06/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.	Applicant(s)
09/044,030	Veda et al.
Examiner	Art Unit
Atkinson	3743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 2/19/03 & 1/14/03

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) Claim(s) 13-14 and 16 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 13-14 and 16 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are objected to by the Examiner.

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) All b) Some* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|--|--|
| 15) <input type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ | 20) <input type="checkbox"/> Other: _____ |

Art Unit: 3743

Response to RCE and Amendment

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. § 103, the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 C.F.R. § 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of potential 35 U.S.C. § 102(f) or (g) prior art under 35 U.S.C. § 103.

Claim 13 is rejected under 35 U.S.C. § 103 as being unpatentable over Sugawara ('270) in view of Yamakage (63-254754).

The document of Sugawara ('270) in Figures 1-2 discloses the claimed invention with the exception of a fan and a plate having a plurality of heat pipes.

Art Unit: 3743

The document of Yamakage ('754) in figure 6 discloses that it is known to have a fan (8) and a plurality of heat pipes (4) attached to a heat receiving plate (2) for the purpose of maximizing the amount of heat transfer from an electronic device within a given space. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to employ in Sugawara ('270) a fan and a plurality of heat pipes attached to a heat receiving plate for the purpose of maximizing the amount of heat transfer from an electronic device within a given space as disclosed in Yamakage ('754).

Claims 14 and 16 are rejected under 35 U.S.C. § 103 as being unpatentable over Sugawara ('270) in view of Yamakage (63-254754) as applied to claim 13 above, and further in view of Inoue et al. ('789) or applicant cited reference Ishida ('258). The patent of Sugawara ('270) as modified, discloses all the claimed features of the invention with the exception of the fins attached to each end of the heat pipes.

The document's of Inoue et al. ('789) and Ishida ('258) disclose that it is known to have fins attached across each end a heat pipe for the purpose of increasing the heat transfer surface area of the heat removal section of the heat pipes. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to employ in Sugawara ('270) as modified, fins attached across each end a plurality of heat pipes for the purpose of increasing the heat transfer surface area of the heat removal section of the heat pipes as disclosed in Inoue et al. ('789) and Ishida ('258).

Art Unit: 3743

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Atkinson whose telephone number is (703) 308-2603.

Christopher Atkinson

C.A. CHRISTOPHER ATKINSON
March 6, 2003 PRIMARY EXAMINER